

REMARKS

Applicant has cancelled claims 66-117 without prejudice or disclaimer. Claims 15-65 are pending in this application.

Applicant thanks the Examiner for the courtesy of the Examiner-Initiated Interview on May 19, 2010. During the Interview, the Examiner indicated that the Office Communication mailed January 6, 2010, which withdrew claims 15-65 as being drawn to a non-elected invention, would be vacated. To provide a complete set of the pending claims for the record, the Examiner requested that Applicant list claims 15-65. Accordingly, Applicant has provided the requested claim listing.

Applicant has cancelled claims 66-117 as being redundant now that claims 15-65 are no longer withdrawn.

Applicant notes that, because this Supplemental Amendment was expressly requested by the Examiner, it should not result in a reduction of Patent Term Adjustment. 37 C.F.R. § 1.704(c)(8) ("Submission of a supplemental reply or other paper, other than a supplemental reply or other paper expressly requested by the examiner . . . "); MPEP § 2732 ("37 CFR 1.704(c)(8) does not apply to a supplemental reply or other paper that was expressly requested by the examiner."). Accordingly, Applicant respectfully reminds the Examiner that the MPEP provides that "the Examiner will have the paper processed so that it is included as part of an interview summary or examiner's amendment and not a separate paper for PALM to flag in the patent term adjustment calculation." MPEP § 2732.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 23/2825 under Docket No. T0509.70012US00 from which the undersigned is authorized to draw.

Dated: May 21, 2010

Respectfully submitted,

By 

Michael T. Siekman

Registration No.: 36,276

WOLF, GREENFIELD & SACKS, P.C.

600 Atlantic Avenue

Boston, Massachusetts 02210-2206

617.646.8000